

MAY 05 '04 09:32 FR IBM RTP LEGAL DEPT 919 254 4330 TO 914073437587  
U.S. PAT. & TM. OFF. 710 254 4330 RightFaxP.07/20  
Page 001

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## Auto-Reply Facsimile Transmission

UNITED STATES  
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PATENT				
IBM DocId: 657920000128051				
In the United States Patent and Trademark Office				
Transmitted (by Facsimile) of				
Application of: Robert M. Kowalski, et al				
Serial Number: 09/782,773	Filed: February 13, 2001			
Title: Submittable audio and Mixed Background Sound for Voice Message Systems				
Art Unit: 2643	Examiner: Scott Lewis Winters			
<input checked="" type="checkbox"/> No additional fee is required. The fee due for this response is calculated below.				
Charges Requiring Advance Payment	Applicant's Payment Already Paid (by \$)	Payment Due	Refund	Amount Due
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Examination Fee	-	0	0	\$0.00
Post Office Expense of Mailed Documents	-	0	0	\$0.00
<b>TOTAL</b>				<b>\$0.00</b>
Transmittal previously paid for under 37 CFR 1.6(c) is not required for this response.				
Please check Deposit Account (9-945) for the TOTAL on back above. The Commissioner is authorized to charge payment of any additional fees required under 37 CFR 1.116 and 37 CFR 1.117 or to credit any overpayment to the designated Deposit Account. A duplicate copy of this check is retained.				
Certificate of Facsimile Transmittal Transmittal Number: 782473-0214 Total Pages (including this page): 13 Date: June 30, 2003		BY: <u>A. Bruce Clay</u> A. Bruce Clay Attorney of Record, Reg. No. 34,121 Date: June 30, 2003		
I hereby certify that the following persons are being transmitted by facsimile to the United States Patent and Trademark Office on this date as shown above. The total number of pages transmitted (including this page) are listed below. <u>Catherine M. Kowalski</u> Catherine M. Kowalski		DOJ Copyrights 751000 Intellectual Property Law 300 West 121st St. New York, NY 10036 Telephone: 914-254-4717 FAX: 914-254-4330		
Facsimile Transmittal Confirmation				

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**PATENT****IBM Docket: RSW920000128US1****In the United States Patent and Trademark Office****Transmittal (by Facsimile) of****Amendment****In re Application of:** Renee M. Kovales, et al**Serial Number:** 09/782,773**Filed:** February 13, 2001**For:** Selectable audio and Mixed Background Sound for Voice Messaging System**Art Unit:** 2645**Examiner:** Scott Louis Weaver

X No additional fee is required.

The fee due for this response is calculated below.

Claims Remaining After Amendment	Highest Number Already Paid For*	Present Extra	Rate	Additional Fee
Total	-	= 0 @	\$18.00	= \$0.00
Independent	-	= 0 @	\$84.00	= \$0.00
First Presentation of Multiple Dependent Claims			\$280.00	= \$0.00
<b>TOTAL</b>				<b>\$0.00</b>

\*Total claims previously paid for must be 20 or more. Independent claims previously paid for must be 3 or more.

Please charge Deposit Account 09-0461 for the TOTAL set forth above. The Commissioner is authorized to charge payment of any additional fees required under 37 CFR §1.116 and 37 CFR §1.117 or to credit any overpayment to the designated Deposit Account. A duplicate copy of this sheet is enclosed.

**Certification of Facsimile Transmission****Facsimile Number:** 703-872-9314**Total Pages (including this page):** 13**Date:** June 30, 2003

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*Catherine M. Robbins*  
Catherine M. Robbins

BY:

*A. Bruce Clay*  
A. Bruce Clay

**Attorney of Record Reg. No.** 32,121**Date:** June 30, 2003

IBM Corporation T81/503  
Intellectual Property Law  
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SEP 29 2004

Atty. Docket No. RSW920000128US1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Status Inquiry Transmittal

In re application of: Renee M. Kovalcs, et al.

Serial No.: 09/782,773 Filed: February 13, 2001

For: Selectable Audio and Mixed Background Sound for Voice Messaging  
System

Group Art Unit: 2645 Examiner: Scott L. Weaver

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing please find:

- (1) a Status Inquiry letter (1 page);
- (2) a copy of a previously-filed Amendment in the above-identified Application, including:
  - a) Amendment/Response Transmittal sheet (1 page, in duplicate); and
  - b) Amendment document (11 pages).
- (3) a copy of an Auto-Reply Facsimile Transmission receipt (1 page), showing that the 13 pages in item (1) were received at the USPTO on June 30, 2003.

It is believed that no fee is due. However,

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0461. A duplicate copy of this sheet is enclosed.

☒  
☒

Any additional filing fees required under 37 C.F.R. §1.16.

Any patent application processing fees under 37 C.F.R. §1.17.

Date: September 29, 2004

Correspondence Address: Cust. No. 25260

Phone 407-343-7586; Fax 407-343-7587

By Marcia L. Doubet  
Marcia L. Doubet, Attorney for Applicants  
Registration Number 40,999

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-identified papers, a total of 17 pages (including two copies of this transmittal sheet), are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on September 29, 2004.

Matthew E. Whiting

Matthew E. Whiting

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PATENT

Atty. Docket No. RSW920000128US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Status Inquiry

In re application of: Renee M. Kovales, et al.

Serial No.: 09/782,773

Filed: February 13, 2001

For: Selectable Audio and Mixed Background Sound for Voice Messaging  
System

Group Art Unit: 2645

Examiner: Scott L. Weaver

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

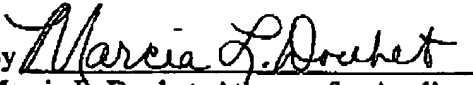
Sir:

Applicants hereby request notification of the current status of the subject patent application.

An amendment was submitted for this application on June 30, 2003, responsive to a first Office Action dated March 31, 2003. This first Office Action stated that a number of claims were rejected, while others were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form. The rejected claims were cancelled in Applicants' June 30, 2003 response, and the claims objected to were rewritten in independent form. Thus, all remaining claims of the application are considered in form for allowance. However, nearly 15 months after submission of Applicants' response, the application has not been allowed. In fact, Applicants' representative has been informed that the case is currently lost.

Applicants respectfully request that this application be passed to issuance without further delay.

Date: September 29, 2004  
Correspondence Address: Cust. No. 25260  
P. O. Box 422859  
Kissimmee, FL 34742-2859

By   
Marcia L. Doubet, Attorney for Applicants  
Registration Number 40,999  
Telephone 407-343-7586